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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/692,720

10/27/2003

Michael M. Ozburn

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01/10/2008

NIXON & VANDERHYE, PC

901 NORTH GLEBE ROAD, 11TH FLOOR

ARLINGTON, VA 22203

EXAMINER

SALL, EL HADJI MALICK

ART UNIT

PAPER NUMBER

2157

MAIL DATE

DELIVERY MODE

01/10/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/692,720

**Applicant(s)**

OZBURN, MICHAEL M.

**Examiner**

El Hadji M. Sall

**Art Unit**

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/28/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to the application filed on October 27, 2003. Claims 1-48 are pending. Claims 1-48 represent interactive crisis management alert and information system.

2. **Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-11, 15-17, 19-29, 33-35 and 41-48 are rejected under 35 U.S.C. 102(e) as being unpatentable over Layton et al. U.S. 6,829,478.

Layton teaches the invention as claimed including information management network for automated delivery of alarm notification and other information (see abstract).

As to claim 1, Layton teaches an interactive notification system for providing notification of a crisis to users of the system, said system comprising:

a server programmed to send notification of a crisis to a user of the system via communication devices preselected by the user (column 4, lines 1-6);

a database connected to said server for storing information identifying the users of the system and the respective communication devices that each user has preselected to effect said notification of a crisis (column 4, lines 12-23);

wherein said server facilitates remote registration and entry of data from each of said users to said database (column 11, lines 6-10, Layton discloses subscription of customers to the central station monitoring service, which contain a server and the customer information databases; column 6, lines 7-14).

As to claim 2, Layton teaches a system as claimed in claim 1, wherein the users are categorized into groups and said server is further programmed to disseminate information to specific ones of said groups in accordance with the content of the information (figure 1, Layton discloses group users such as cell phone users, email users, pager users, land line users, SMS users and text message users).

A to claim 3, Layton teaches a system as claimed in claim 2, wherein each of the users preselect different communication devices for crisis notification and dissemination of information (figure 1, Layton discloses the communication devices are cell phone, email, pager and land line phone).

As to claim 4, Layton teaches a system as claimed in claim 1, wherein said communication devices comprise at least one of telephones, pagers, cell phones, PDAs, facsimile machines and computers (figure 1).

As to claim 5, Layton teaches a system as claimed in claim 2, wherein said communication devices comprise at least one of telephones, pagers, cell phones, PDAs, facsimile machines and computers (figure 1).

As to claim 6, Layton teaches a system as claimed in claim 3, wherein said communication devices comprise at least one of telephones, pagers, cell phones, PDAs, facsimile machines and computers (figure 1).

As to claim 7, Layton teaches a system as claimed in claim 1, wherein said notification of a crisis includes basic information regarding at least one of the events, a description of the current situation, what the notified users should expect, and instructions on what the notified users should do and not do (column 4, lines 18-31,

Layton discloses notifying the users of an emergency event or a change in the status of any premises sensors (i.e. "information of the events and the description of the current situation"), and further allowing two-way communication interface with the security or premises hardware (i.e. "instructions on what the notified users should do and not do)).

As to claim 8, Layton teaches a system as claimed in claim 1 wherein the system determines a Head of Household for each household using the system, and only allows the Head of Household to enter data into the system (column 3, lines 18-20, Layton discloses an authorized individual remote from the premises is allowed to cancel the alarm notification prior to dispatch of the authorities (examiner construes the authorized individual as "the head of the household").

As to claim 9, Layton teaches a system as claimed in claim 2 wherein the system determines a Head of Household for each household using the system, and only allows the Head of Household to enter data into the system (column 3, lines 18-20, Layton discloses an authorized individual remote from the premises is allowed to cancel the alarm notification prior to dispatch of the authorities (examiner construes the authorized individual as "the head of the household").

As to claim 10, Layton teaches a system as claimed in claim 8, wherein the Head of Household can add an additional Head of Household to the system so that said additional Head of Household can enter data into the system (column 10, lines 65-67,

Layton discloses authorized individuals can add or modify their pre-designed contacts (i.e. "adding an additional head of household").

As to claim 11, Layton teaches a system as claimed in claim 9, wherein the Head of Household can add an additional Head of Household to the system so that said additional Head of Household can enter data into the system (column 10, lines 65-67, Layton discloses authorized individuals can add or modify their pre-designed contacts (i.e. "adding an additional head of household").

As to claim 15, Layton teaches a system as claimed in claim 8, wherein the system categorizes the severity of the crisis for which notification is sent to user (column 3, lines 42-49, Layton discloses delivering sequential interactive event based on sequential interactive event notification based on signals received from sensors (i.e. "categorizing the severity of the crisis" or event)).

As to claim 16, Layton teaches a system as claimed in claim 15, wherein the Head of Household can designate different persons to receive notification of the crisis in accordance with the categorization of the crisis (column 10, lines 65-67, Layton discloses authorized individuals can add or modify their pre-designed contacts (i.e. "designate different persons").

As to claim 17, Layton teaches a system as claimed in claim 2, wherein an Administrator of the system creates said groups and determines the information that is disseminated to each of said groups (column 1, item 2, Layton discloses an information management network (i.e. "administrator of the system"), that distributes or "disseminates" information to the different groups (i.e. cell phone group, email group, pager group,...)).

As to claim 19, Layton teaches a method of providing notification of a crisis to users of a notification system that includes a server and database for storing data about the users, said method comprising:

registering the users of the system by providing access to the server and database to each of said users (column 11, lines 6-10, Layton discloses subscription of customers to the central station monitoring service, which contain a server and the customer information databases; column 6, lines 7-14); and

sending a notification of a crisis to each of the registered users via communication devices preselected by each of the registered users (column 4, lines 1-6).

As to claim 20, Layton teaches a method as claimed in claim 19, further comprising categorizing the users into groups and disseminating information to specific ones of said groups in accordance with the content of the information (figure 1, Layton



discloses group users such as cell phone users, email users, pager users, land line users, SMS users and text message users).

As to claim 21, Layton teaches a method as claimed in claim 20, wherein each of the users preselects different communication devices for crises notification and dissemination of information (figure 1, Layton discloses the communication devices are cell phone, email, pager and land line phone).

As to claim 22, Layton teaches a method as claimed in claim 19, wherein the communication devices comprise at least one of telephones, pagers, cell phones, PDAs, facsimile machines and computers (figure 1).

As to claim 23, Layton teaches a method as claimed in claim 20, wherein the communication devices comprise at least one of telephones, pagers, cell phones, PDAs, facsimile machines and computers (figure 1).

As to claim 24, Layton teaches a method as claimed in claim 21, wherein the communication devices comprise at least one of telephones, pagers, cell phones, PDAs, facsimile machines and computers (figure 1).

As to claim 25, Layton teaches a method as claimed in claim 19, wherein said notification of a crisis includes basic information regarding at least one of the events, a description of the current situation, what the notified users should expect, and instructions on what the notified users should do and not do (column 4, lines 18-31, Layton discloses notifying the users of an emergency event or a change in the status of any premises sensors (i.e. "information of the events and the description of the current situation"), and further allowing two-way communication interface with the security or premises hardware (i.e. "instructions on what the notified users should do and not do)).

As to claim 26, Layton teaches a method as claimed in claim 19, further comprising designating a Head of Household in each household of users and only allowing the Head of Household to enter data into the system (column 3, lines 18-20, Layton discloses an authorized individual remote from the premises is allowed to cancel the alarm notification prior to dispatch of the authorities (examiner construes the authorized individual as "the head of the household").

As to claim 27, Layton teaches a method as claimed in claim 20, further comprising designating a Head of Household in each household of users and only allowing the Head of Household to enter data into the system (column 3, lines 18-20, Layton discloses an authorized individual remote from the premises is allowed to cancel the alarm notification prior to dispatch of the authorities (examiner construes the authorized individual as "the head of the household").

As to claim 28, Layton teaches a method as claimed in claim 26, wherein the Head of Household can add an additional Head of Household so that said additional Head of Household can enter data into the system (column 10, lines 65-67, Layton discloses authorized individuals can add or modify their pre-designed contacts (i.e. "adding an additional head of household").

As to claim 29, Layton teaches a method as claimed in claim 27, wherein the Head of Household can add an additional Head of Household so that said additional Head of Household can enter data into the system (column 10, lines 65-67, Layton discloses authorized individuals can add or modify their pre-designed contacts (i.e. "adding an additional head of household").

As to claim 33, Layton teaches a method as claimed in claim 26, further including categorizing the severity of the crisis for which notification is sent to the Head of Household (column 3, lines 42-49, Layton discloses delivering sequential interactive event based on sequential interactive event notification based on signals received from sensors (i.e. "categorizing the severity of the crisis" or event)).

As to claim 34, Layton teaches a method as claimed in claim 33, wherein the Head of Household designates persons to receive notification of the crisis in accordance with the categorization of the crisis (column 10, lines 65-67, Layton

discloses authorized individuals can add or modify their pre-designed contacts (i.e. "designate different persons"))).

As to claim 35, Layton teaches a method as claimed in claim 20, wherein an Administrator of the system creates said groups and determines the information that is disseminated to each of said groups (column 1, item 2, Layton discloses an information management network (i.e. "administrator of the system"), that distributes or "disseminates" information to the different groups (i.e. cell phone group, email group, pager group,...)).

As to claim 41, Layton teaches a system as in claim 2, wherein an Administrator creates groups of users, and determines a level of importance for the crisis or information to be disseminated to said groups of users, and communicates the crisis or information in accordance with the level of importance and the communication devices preselected by said users (column 3, lines 42-49, Layton discloses delivering sequential interactive event based on sequential interactive event notification based on signals received from sensors).

As to claim 42, Layton teaches a system as in claim 41 wherein all communication devices preselected by each user are utilized for a crisis having the highest level of importance (column 5, lines 4-7).

As to claim 43, Layton teaches a method as in claim 20, wherein an Administrator creates groups of users, and determines a level of importance for the crisis or information to be disseminated to said groups of users, and communicates the crisis or information in accordance with the level of importance and the communication devices preselected by said users (column 3, lines 42-49, Layton discloses delivering sequential interactive event based on sequential interactive event notification based on signals received from sensors).

As to claim 44, Layton teaches a method as in claim 43, wherein all communication devices preselected by each user are utilized for a crisis having the highest level of importance (column 5, lines 4-7).

As to claim 45, Layton teaches a system as in claim 2, wherein a Head of Household preselects all communication devices to be used for receiving notification of a crisis and dissemination of information (column 5, lines 4-7).

As to claim 46, Layton teaches a system as in claim 45, wherein the Head of Household determines which preselected communication will receive notification of a crisis and dissemination of information based on level of importance of the crisis and information (column 5, lines 4-7).

As to claim 47, Layton teaches a method as in claim 20, wherein a Head of Household preselects all communication devices to be used for receiving notification of a crisis and dissemination of information (column 5, lines 4-7).

As to claim 48, Layton teaches a method as in claim 47 wherein the Head of Household determines which preselected communication will receive notification of a crisis and dissemination of information based on level of importance of the crisis and information (column 5, lines 4-7).

**4. Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

5. Claims 12-14, 30-32, 37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Layton et al. U.S. 6,829,478 in view of Ginter et al. U.S. 6,185,683.

Layton teaches the invention substantially as claimed including information management network for automated delivery of alarm notification and other information (see abstract).

As to claim 12, Layton teaches a system as claimed in claim 8.

Layton fails to teach explicitly custody.

However, Ginter teaches trusted and secure techniques, systems and methods for item delivery and execution. Ginter teaches trusted and secure techniques, systems and methods for item delivery and execution. Ginter teaches custody (column 3, lines 41-44).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Layton in view of Ginter to provide the Head of Household registers with the system a list of persons who can take custody of a child, during a crisis alert, previously registered by the Head of Household with the system. One would be motivated do so to allow guardianship.

As to claim 13, Layton teaches a system as claimed in claim 12, wherein after notification of a crisis, the Head of Household is given a specific amount of time to update, by adding or deleting, the list of persons (column 10, lines 65 to column 11,

line 6, Layton discloses authorized individuals can add or modify their pre-designed contacts, and any change made to data within the customer profile is automatically sent via internet interface to the central station monitoring facility to update the customer's account information on a real time basis (i.e. "specific time")).

As to claim 14, Layton teaches a system as claimed in claim 13, and said specific amount of time (column 11, line 6)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Layton in order to have said specific amount of time is 30 minutes. One would be motivated to do so to have enough time intervals to perform modifications.

As to claim 30, Layton teaches a method as claimed in claim 26.

Layton fails to teach explicitly custody.

However, Ginter teaches custody (column 3, lines 41-44).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Layton in view of Ginter to provide the Head of Household registers with the system a list of persons who can take custody of a child, during a crisis alert, previously registered by the Head of Household with the system. One would be motivated do so to allow guardianship.



As to claim 31, Layton teaches a system as claimed in claim 30, wherein after notification of a crisis, the Head of Household is given a specific amount of time to update, by adding or deleting, the list of persons (column 10, lines 65 to column 11, line 6, Layton discloses authorized individuals can add or modify their pre-designed contacts, and any change made to data within the customer profile is automatically sent via internet interface to the central station monitoring facility to update the customer's account information on a real time basis (i.e. "specific time")).

As to claim 32, Layton teaches a system as claimed in claim 31, and said specific amount of time (column 11, line 6)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Layton in order to have said specific amount of time is 30 minutes. One would be motivated to do so to have enough time intervals to perform modifications.

As to claim 37, Layton teaches a system as claimed in claim 8.

Layton fails to teach explicitly custody.

However, Ginter teaches custody (column 3, lines 41-44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Layton in view of Ginter to provide said Head of Household enters and controls family relationship data including children records,

family records, family relationships, and custody control of children. One would be motivated do so to allow guardianship.

As to claim 39, Layton teaches a system as claimed in claim 26.

Layton fails to teach explicitly custody.

However, Ginter teaches custody (column 3, lines 41-44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Layton in view of Ginter to provide said Head of Household enters and controls family relationship data including children records, family records, family relationships, and custody control of children. One would be motivated do so to allow guardianship.

6. Claims 18 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Layton et al. U.S. 6,829,478 in view of Badovintz et al. U.S. 5,699,501.

Layton teaches the invention substantially as claimed including information management network for automated delivery of alarm notification and other information (see abstract)..

As to claim 18, Layton teaches a system as in claim 17.

Layton fails to teach explicitly delegating to a respective leader of each one of said groups.

However, Badovinat兹 teaches delegating to a respective leader of each one of said groups (column 1, lines 64-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Layton in view of Badovinat兹 to provide wherein the Administrator delegates to a respective leader of each one of said groups the determination of the information that is disseminated to the corresponding group. One would be motivated to do to allow central management within each group.

As to claim 36, Layton teaches a system as in claim 35.

Layton fails to teach explicitly delegating to a respective leader of each one of said groups.

However, Badovinat兹 teaches delegating to a respective leader of each one of said groups (column 1, lines 64-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Layton in view of Badovinat兹 to provide wherein the Administrator delegates to a respective leader of each one of said groups the determination of the information that is disseminated to the corresponding group. One would be motivated to do to allow central management within each group.

7. Claims 38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Layton et al. U.S. 6,829,478 in view of Ginter et al. U.S. 6,185,683, further in view of Badovinat兹 et al. U.S. 5,699,501.

Layton teaches the invention substantially as claimed including information management network for automated delivery of alarm notification and other information (see abstract).

As to claim 38, Layton teaches a system as in claim 37.

Layton fails to teach explicitly delegating.

However, Badovinatx teaches delegating (column 1, lines 64-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Layton in view of Badovinatx to provide said Head of Household delegates the entering and control of said family relationship data to an additional person. One would be motivated to do to allow redundancy.

As to claim 40, Layton teaches a system as in claim 39.

Layton fails to teach explicitly delegating.

However, Badovinatx teaches delegating (column 1, lines 64-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Layton in view of Badovinatx to provide said Head of Household delegates the entering and control of said family relationship data to an additional person. One would be motivated to do to allow redundancy

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art: US 6643355 B1; US 20030217099 A1.

**9. Conclusion**

Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

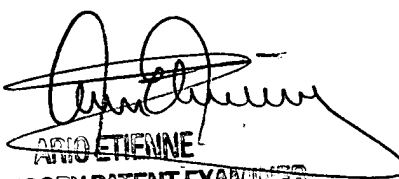
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the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall  
Patent Examiner  
Art Unit: 2157



ARTO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100